

Planning & Zoning Commission Work Session Minutes

May 7, 2014

- Community Development Director Humble stated there will not be any changes to the Canyon Rim Overlay height restrictions.
- Council Liaison Mills Sojka stated she likes being able to look at the requests individually. The architectural projections aren't included in the height so this might be something to consider.
- Commissioner Munoz stated we are going to see this with many requests and maybe they should be considered; they don't have obstruction impacts but maybe there should be a limit to their height as well.

Staff Presentation:

Community Development Director Humble stated the next code amendment addresses the parking requirements. He summarized the changes and discussion followed.

Discussion:

- Commissioner Grey asked about sacrificing landscaping for parking and if that will occur with the proposed amendment.
- Community Development Director Humble stated the code does suggest to an extent that parking overrides landscaping by minimizing to 10' of parking.
- Commissioner Grey asked about existing parking for example Target moves out and another tenant moves in would changes be required.
- Community Development Director Humble stated the only thing that would trigger a change would possibly be a building permit or change of use/occupancy or something that may require a special use permit. Retail is really one of the uses with the highest demand so to have someone move in that would need more space would be difficult.
- Commissioner Frank asked if someone is resurfacing a parking lot do they need a permit.
- Community Development Director Humble stated a permit is not required for asphalt. However there is some concern with making sure the parking has remained the same.
- Council Liaison Mills Sojka asked with the type of use like Culver's or Starbucks will it address the under parked areas we have now.
- Community Development Director Humble state comparing existing to the proposed change with a restaurant because the current code is based on seating within the restaurant; the new code will require more parking for restaurants and 1 space will be required for 75' sq. ft. of space.
- Planner I Spendlove explained the proposed code was presented to a recent applicant that plans to remove the existing McDonalds located at Heyburn Avenue and Blue Lakes Blvd N. There original plan was to have approximately 40 spaces at the request of the customers, the current code would have only

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required 22 spaces, the proposed code would require 45 spaces. This change will be very close to what the businesses are providing on the initial building site plan.

- Commissioner Tatum asked if there is some negotiation allowed.
- Community Development Director Humble explained yes there is some ability to negotiate and work with staff on solutions. Staff will proceed as written or changes can be made prior to proposing the amendment.
- Commissioner Frank stated requesting the applicant to come through would allow for public input. He knows it adds time to the process, but he is in support of hearing from the public.
- Commissioner Munoz said he sees pros and cons to this, he suspects that most of these concerns will be addressed because they will require some type of zoning decision.
- Council Liaison Mills Sojka stated she likes the notification of the public, she understands it adds extra time. If it is a public hearing a notice would be required, if it is an item of consideration notification would not be required. Maybe a notice requirement to the neighbors should be required.
- Commissioner Frank stated maybe the notification could occur without a public hearing.
- Commissioner Tatum asked if there is a difference between a public hearing notice and posting the sign.
- Community Development Director Humble explained for a plat a notice in the paper is required and the letters need to be mailed out 10 days prior to the meeting with a sign posted 7 days prior to the meeting.
- Commissioner Tatum explained this process can be costly and time consuming.
- Commissioner Frank explained that the surrounding property owners have made an investment in their property and should be allowed to have input on things that may impact their property.
- Commissioner Boyd stated streamlining things by having the applicant go through staff versus going through a public hearing process seems beneficial to the applicant.
- Community Development Director Humble stated there are two different items up for discussion. In a previous City where he work they had a similar code as it related to landscaping in parking areas, their code stated if you want to group the landscaping feel free to do so. He has a hard time finding a time that he wouldn't approve the grouping of landscaping but the Commission may see things differently.
- Commissioner Grey stated in his mind the intent is to eliminate the sea of asphalt so why would we approve all the landscaping in the parking lot to be grouped together in one spot.
- Community Development Director stated that is a good example of why the item should come to the Commission. The other issue that may come up is if the decision is left up to staff and the applicant doesn't like staff's decision they can

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appeal the decision to the Commission. If it is approved by staff and the neighbors don't like the decision they have no appeal process.

- Commissioner Boyd stated after consideration requiring some type of notification to surrounding neighbors is beneficial to the neighbors. If they are notified and choose not to show up for the meeting then they have missed their opportunity to complain. It's not a perfect system but it's the system we have.
- Commissioner Munoz stated listening to the testimony from the neighbors can have an impact on the decision process.
- Community Development Director Humble explained that this could be a notification process that is similar to the preliminary plat process. When a preliminary plat is scheduled the applicant is required to notify the property owners within 300' 10 day in advance of the meeting and post a sign on the property 7 days prior to the meeting. The notification in the paper is not required. Since it seems the Commission is in support of a similar process this can be included in the proposed amendment.

2. Identify upcoming P&Z agenda items

- Zoning & Development Manager Carraway explained there will be a preliminary plat on the next agenda, a Zoning Title Amendment as well as a Special Use Permit. She explained there will be Special Use Permit coming through for property located north of Rock Creek on Shoup Avenue West for development and there is a propose project for a multi-stage retirement community. She also presented an article about a mobile food truck park in Boise, and told the Commission she was going to keep tabs on the issue.
- Commissioner Frank explained a lot of communities do this and they use the property until a higher use comes along.
- Commissioner Boyd stated she has seen this in Texas and they have several of the trucks in one area and stated they are allowed to have live music at times also.

3. General Commission training

- Zoning & Development Manager Carraway also reminded the Commissioners of the Jerry Mason training session on June 16, 2014.

III. UPCOMING PUBLIC MEETINGS (held at the City Council Chambers unless otherwise posted):

1. Public Hearing – Tuesday, **June 10, 2014**

IV. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 1:15 P.M.

Lisa A Strickland
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